

# UNITED STATES DISTRICT COURT

for the

Western District of North Carolina

United States of America

v.

Angela Jordan

Date of Previous Judgment: 6/6/01  
(Use Date of Last Amended Judgment if Applicable)

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Case No: 1:00CR57-1

USM No: 16259-058

Stanford K. Clontz

Defendant's Attorney

## Order Regarding Motion for Sentence Reduction Pursuant to 18 U.S.C. § 3582(c)(2)

Upon motion of ☒ the defendant ☐ the Director of the Bureau of Prisons ☐ the court under 18 U.S.C. § 3582(c)(2) for a reduction in the term of imprisonment imposed based on a guideline sentencing range that has subsequently been lowered and made retroactive by the United States Sentencing Commission pursuant to 28 U.S.C. § 994(u), and having considered such motion,

**IT IS ORDERED** that the motion is:

☒ DENIED. ☐ GRANTED and the defendant's previously imposed sentence of imprisonment (as reflected in the last judgment issued) of \_\_\_\_\_ months **is reduced to** \_\_\_\_\_.

### I. COURT DETERMINATION OF GUIDELINE RANGE (Prior to Any Departures)

Previous Offense Level: 29

Amended Offense Level: 27

Criminal History Category: III

Criminal History Category: III

Previous Guideline Range: 240 to 240 months

Amended Guideline Range: 240 to 240 months

### II. SENTENCE RELATIVE TO AMENDED GUIDELINE RANGE

- ☐ The reduced sentence is within the amended guideline range.
- ☐ The previous term of imprisonment imposed was less than the guideline range applicable to the defendant at the time of sentencing as a result of a departure or Rule 35 reduction, and the reduced sentence is comparably less than the amended guideline range.
- ☒ Other (explain): The defendant is eligible for a two-level reduction in offense level pursuant to Amendment 706 (Retroactive Crack Cocaine Reduction). However, when the defendant was originally sentenced, she was sentenced with a beginning guideline range of 240 months (mandatory minimum sentence), and the Court departed to a sentence below that mandatory minimum pursuant to USSG §5K1.1 and 18 U.S.C. § 3553(e). As such, if the defendant was sentenced today, the government would base their downward departure on the mandatory minimum sentence of 240 months, the same as was in effect at the original sentencing, and Amendment 706 would not have any effect on the defendant's sentence.

### III. ADDITIONAL COMMENTS

Except as provided above, all provisions of the judgment dated 6/6/01 shall remain in effect.

**IT IS SO ORDERED.**

Order Date: December 31, 2008

Effective Date: \_\_\_\_\_  
(if different from order date)



Lacy H. Thornburg  
United States District Judge

